

IN THE MATTER of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER of an application for the renewal of an **On-licence** pursuant to s. 127 in respect of premises situated at 42 Main Road Harihari and known as Hotel Harihari by Bravo Twenty Twenty Limited.

AND

IN THE MATTER of an application for the renewal of an Off-licence pursuant to s. 127 in respect of premises situated at 42 Main Road Harihari and known as Hotel Harihari by Bravo Twenty Twenty Limited.

DECISION OF THE WESTLAND DISTRICT LICENSING COMMITTEE ON AN UNCONTESTED APPLICATION

Authority:

Pursuant to section 191(2) of the Sale and Supply of Alcohol Act 2012 and a Council resolution dated 28 November 2013, the functions, powers and duties of the Westland District Licensing Committee are delegated to the committee chairperson where no objection has been filed, and no matters of opposition have been raised by the Police, the Medical Officer of Health or an Inspector. There is no Local Alcohol Policy in place for the District.

Summary of Evidence

The complete file has been made available to me.

The applications are mostly clear and understandable. A Host Responsibility Policy is included. The applications clearly state that no changes are sought to the present conditions of the existing licences.

A report from the Inspector advises that the applicant is suitable to continue holding the licenses.

The Police have no objection to the renewal applications.

The Medical Officer of Health has no opposition to the renewal applications.

Evaluation of Evidence

I have considered the application on the basis of the uncontested reports received. The matter is able to be dealt with on the papers.

Bravo Twenty Twenty Limited is a New Zealand limited Company and can, accordingly hold an On-licence. The existing licenses are in the name of Bravo Twenty Twenty Limited although I have not been able to locate a previous decision relating to Bravo Twenty Twenty Limited but I have located a decision relating to an application by Hotel Harihari Limited. I have confidence in the District Council's administrative support staff and I have assumed that all is in order.

I am satisfied that there are no amenity and good order issues to consider. I am also satisfied that there are sufficient managers to adequately ensure compliance with the Act.

There are existing Designations that were put in place at the time of the grant of the licence. The Inspector has made clear recommendations as to designations and they vary from the original and are in line with the applicant's intent, notwithstanding that the application states that no changes to conditions are sought. I have not identified any reason to not adopt the Inspector's recommendations concerning designations and the extent of the licensed area.

The existing days and hours, Monday to Sunday from 10.00AM to 3.00AM the following day, of operation will continue for the On-licence. The Off-Licence hours will continue to be Monday to Friday from 10.00am to 11.00pm the same day.

The renewal application is accompanied by a Host Responsibility Policy which I think is appropriate for the nature of the premises which is a hotel that caters for different and varied users.

Decision and Reasons

I am satisfied as to those matters provided for in s.131 of the Act.

The applications are granted on the papers pursuant to s.202 (1) of the Act as Decision Numbers **034 and 035-2022** and I direct that renewed on-licence 56/ON/013/2021 and renewed off-licence 56/OFF/012/2021 be issued pursuant to s.64 of the Act.

The renewal is for a period of three years from the date of expiry and is subject to the following conditions:

On-Licence

- (a) Alcohol may be sold only on the following days and during the following hours:
Monday to Sunday 10.00am to 3.00am the following day.
- (b) except when the licensee also holds a special licence for the premises, no alcohol is to be sold on the premises on Good Friday, Easter Sunday, Christmas Day, or before 1 pm on Anzac Day to any person who is not—
 - (i) residing or lodging on the premises; or
 - (ii) present on the premises to dine.
- (c) The extent of the licensed area is shown on a plan accompanying the application for renewal and specifically include the Public Bar, the bottle shop, the Lounge Bar, the Outside Deck including the adjacent grassed area and the restaurant.
- (d) the following steps must be taken to promote the responsible consumption of alcohol:
 - (i) The Principal Entrance is to be described as "The entrance into the reception area from Main Road, state Highway 6, Harihari".
 - (ii) Pursuant to section 110(2)(c) of the Act, drinking water shall be freely available to all customers at the bar at all times that the licence is being exercised.
 - (iii) Each of the following parts of the premises are designated as:
 - (i) Supervised Area: Public Bar

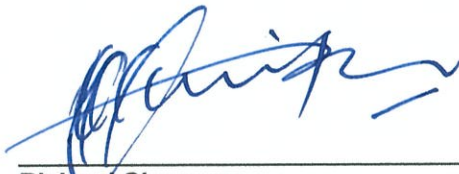
- (ii) Supervised Area: Lounge Bar
- (iii) Supervised area: outside grassed area adjacent to deck
- (iv) Supervised area: outside deck off public Bar.

Off-Licence

The renewal is for a period of three years from the date of expiry and is subject to the existing terms and conditions with the exception of the following:

- (a) alcohol may be sold only on the following days and during the following hours:
Monday to Sunday from 8.00AM to 11.00PM the same day.
- (b) No alcohol is to be sold on or delivered from the premises on Good Friday, Easter Sunday, Christmas Day or before 1.00pm on ANZAC Day
- (c) While alcohol is being supplied free as a sample, drinking water shall be freely available at any tasting location.
- (d) The Principal Entrance is to be described as "The entrance into the public bar from Main Road, Harihari".
- (e) The extent of the licensed area is shown on a plan accompanying the application for renewal.

Dated at Hokitika this 31 day of March 2022



Richard Simpson
Chairman, Westland District Licensing Committee

